

Response

GAU 1 REC

TOWNSEND and TOWNSEND and CREW LLP  
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San Francisco, CA 94111-3834  
(415) 576-0200

In re application of Gray, Collins, Hwang, Godfrey, Kowbel,  
and Rommens

Serial No.: 08/731,499

Filed : October 16, 1996

Group Art Unit: 1806  
For GENES FROM THE 20q13 AMPLICON AND THEIR  
USES

THE ASSISTANT COMMISSIONER FOR PATENTS  
Washington, D.C. 20231

Sir:

Transmitted herewith is a response in the above-identified application.

- Enclosed is a petition to extend time to respond.
- Small entity status of this application under 37 CFR 1.9 and 1.27 has been established by a verified statement previously submitted.
- A verified statement to establish small entity status under 37 CFR 1.9 and 1.27 is enclosed.
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No fee is due.

Please charge Deposit Account No. 20-1430 as follows:

Any additional fees associated with this paper or during the pendency of this application.

\_\_\_\_\_ extra copies of this sheet are enclosed.

TOWNSEND and TOWNSEND and CREW LLP

  
Tom Hunter  
Reg. No.: 38,498  
Attorneys for Applicant

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to:  
Assistant Commissioner for Patents,  
Washington, D.C. 20231,  
on December 1, 1997



TOWNSEND and TOWNSEND and CREW LLP

By David Silverman

PATENT  
Attorney Docket No. 023070-068910

#13  
12-12-97

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of:

Gray, Collins, Hwang, Godfrey, Kowbel,  
and Rommens

Serial No.: 08/731,499

Filed: October 16, 1996

For: GENES FROM THE 20q13  
AMPLICON AND THEIR USES

Examiner: M. Davis

Art Unit: 1806

RESPONSE

RECEIVED  
DEC 16 1997  
GROUP 1800

Assistant Commissioner of Patents and Trademarks  
Washington, D.C. 20231

Sir:

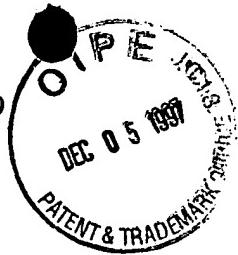
In the Office Action dated November 12, 1997, the Examiner reunited Groups I and II of the restriction requirement made on July 8, 1997. In addition the restriction was made final.

The Examiner alleged that Applicants had failed to elect a Group in response to the July 8, 1997 restriction requirement. However, Applicants note that they had elected Group I, claims 1-23 with traverse (see, October 2, 1997 response at page 2, lines 5-6).

In view of their previous response and the restriction now made final, *Applicants reiterate their previous election of Group I, with traverse*. The arguments presented in the October 2, 1997 response being incorporated herein by reference.

As Group II has been reunited with Group I, it is Applicants understanding that Group I, claims 1-23 and reunited Group II, claims 24-38 and 42 are presently under consideration.

Gray et al.  
Serial No. 08/731,499  
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If a telephone conference would expedite prosecution of this application, the Examiner is invited to telephone the undersigned at (415) 576-0200.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Tom Hunter".

Tom Hunter  
Reg. No. 38,498

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TAH